

111TH CONGRESS
1ST SESSION

H. R. 1084

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2009

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commercial Advertise-
3 ment Loudness Mitigation Act” or the “CALM Act”.

4 **SEC. 2. RULEMAKING ON LOUD COMMERCIALS REQUIRED.**

5 (a) **REGULATION REQUIRED.**—Within 1 year after
6 the date of enactment of this Act, the Federal Commu-
7 nications Commission shall prescribe pursuant to the
8 Communications Act of 1934 (47 U.S.C. 151 et seq.) a
9 regulation that is limited to incorporating by reference and
10 making mandatory (subject to any waivers the Commis-
11 sion may grant pursuant to subsection (b)(2)) the “Rec-
12 ommended Practice: Techniques for Establishing and
13 Maintaining Audio Loudness for Digital Television” (A/
14 85), and any successor thereto, approved by the Advanced
15 Television Systems Committee, only insofar as such rec-
16 ommended practice concerns the transmission of commer-
17 cial advertisements by a television broadcast station, cable
18 operator, or other multichannel video programming dis-
19 tributor.

20 (b) **IMPLEMENTATION.**—

21 (1) **EFFECTIVE DATE.**—The Federal Commu-
22 nications Commission shall prescribe that the regula-
23 tion adopted pursuant to subsection (a) shall become
24 effective 1 year after the date of its adoption.

25 (2) **WAIVER.**—For any television broadcast sta-
26 tion, cable operator, or other multichannel video pro-

